

Order

Michigan Supreme Court
Lansing, Michigan

March 23, 2007

Clifford W. Taylor,
Chief Justice

130942

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 130942
COA: 267225
Oakland CC: 2003-190435-FH

DAVID PETER LAVALLIS,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the February 23, 2006 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration as on leave granted.

WEAVER, J., would grant leave to appeal.

CORRIGAN, J., would direct that the prosecutor respond to the application for leave to appeal.



d0320

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 23, 2007

Corbin R. Davis

Clerk